

All District Engineers, Glen Frederichs, Louis Konza

Gary Gould

Special Provision for Traffic Control Deficiency Deduction

March 9, 1992

The subject Special Provision has been developed to ensure the prompt response to deficiencies to specified traffic control and protection.

The blank space to be filled in at the * note should be the number of calendar days based on the projects' working days or completion date.

The Plans and Contracts Section will include the subject Special Provision in all projects scheduled for the May 1, 1992 letting. Your office should include this Special Provision in all subsequent lettings.

This Special Provision will be telecommunicated to the district offices on March 16, 1992.

CLC/mac/4065M

TRAFFIC CONTROL DEFICIENCY DEDUCTION (BDE)

Effective: April 1, 1992

To ensure a prompt response to incidents involving the integrity of the work zone traffic control devices, the Contractor shall provide a telephone number where a responsible individual can be contacted on a 24-hour-a-day basis. When the Engineer is notified or determines a deficiency exists, (s)he shall be the sole judge to whether the deficiency is an immediate safety hazard. The Contractor shall dispatch sufficient resources within 2 hours of notification to make needed corrections of deficiencies that constitute an immediate safety hazard. Other deficiencies shall be corrected within 12 hours. If the Contractor fails to restore the required traffic control and protection within the time limits specified above, the Engineer will impose a daily monetary deduction for each 24-hour period (or portion thereof) the deficiency exists. This time period will begin with the time of notification to the Contractor and end with the Resident Engineer's acceptance of the corrections. For this project, the daily deduction will be ____* per day. In addition, if the Contractor fails to respond, the Engineer may correct the deficiencies and the cost thereof will be deducted from monies due or which may become due the Contractor. This corrective action will in no way relieve the Contractor of his/her contractual requirements or responsibilities.

*The cost of the daily deduction will be calculated by dividing three percent of the awarded contract price by the number of calendar days anticipated for this project. The number of days anticipated for this project is _____. This procedure is to be followed regardless of whether the contract is based upon working days, contains a completion date, or has an incentive/disincentive clause.